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~~CONFIDENTIAL~~ SECTION 01 OF 03 BUENOS AIRES (b)(3):10 USC 424
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SERIAL: (U) IIR (b)(3):10 USC 424

/********** THIS IS A COMBINED MESSAGE **********/
BODY
COUNTRY: (U) **ARGENTINA** (**AR**).
SUBJ: IIR (b)(3):10 USC 424 ARMY CHIEF SPEAKS OUT ON MILITARY EXCESSES DURING DIRTY WAR (U)
WARNING: (U) THIS IS AN INFORMATION REPORT, NOT FINALLY EVALUATED INTELLIGENCE. ~~REPORT CLASSIFIED CONFIDENTIAL~~.

- DEPARTMENT OF DEFENSE

DOI: (U) 950425.
REQS: (U) (b)(3):10 USC 424
SOURCE: A. ~~(C)~~

Sec. 3.3(b) (1)

B. (U) DAILY NEWSPAPER, "BUENOS AIRES HERALD", BUENOS AIRES, ARGENTINA, 950425 (U) IN ENGLISH. INDEPENDENT-LIBERAL NEWSPAPER WHICH HAS BEEN A FIRM DEFENDER OF HUMAN RIGHTS AND FREQUENT CRITIC OF THE GOVERNMENT. CONSIDERED INFLUENTIAL WITH POLICYMAKERS, POLITICIANS, MILITARY OFFICERS AND BUSINESSMEN.
C. (U) DAILY NEWSPAPER, "LA PRENSA", BUENOS AIRES, ARGENTINA, 950424 (U) IN SPANISH. INDEPENDENT-CONSERVATIVE NEWSPAPER WHICH USUALLY SUPPORTS THE U.S. AND HAS AN INTERNATIONAL REPUTATION FOR INTEGRITY. INFLUENTIAL WITH POLITICIANS AND THE MILITARY.
D. (U) DAILY NEWSPAPER, "LA NACION", BUENOS AIRES, ARGENTINA, 950426 (U) IN SPANISH. INDEPENDENT-MODERATE NEWSPAPER WHICH APPEALS TO THE UPPER CLASS AND

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INTELLECTUALS. TENDS TO REPORT U.S. ISSUES OBJECTIVELY. INFLUENTIAL WITH TOP POLICYMAKERS, GOVERNMENT OFFICIALS, POLITICIANS, AND THE MILITARY.
SUMMARY: (U) THE ARMY CHIEF OF STAFF ADMITTED ON NATIONAL TELEVISION THAT THERE WERE EXCESSES DURING THE DIRTY WAR BY THE MILITARY. HIS COMMENTS CAUSED A FUROR AND SIGNIFY A CHANGE IN THE ARMY'S STRATEGY TO DEFEND ITS ACTIONS.
TEXT: 1. (U) THE CHIEF OF STAFF OF THE ARGENTINE ARMY (ARGARM), GENERAL **MARTIN ANTONIO** ((**BALZA**)), CAUSED AN UPROAR AMONG THE ARGENTINE GOVERNMENT AND PUBLIC WHEN HE ADMITTED ON NATIONAL TELEVISION THAT THE MILITARY COMMITTED EXCESSES DURING ITS CAMPAIGN TO FIGHT SUBVERSION. BALZA'S COMMENTS CAME AFTER SEVERAL DAYS OF RENEWED MEDIA ATTENTION ON THE ARMY'S ACTIONS DURING THE DIRTY WAR RESULTING FROM AN EX-SERGEANT'S DESCRIPTION OF ATROCITIES THAT HE ALLEGEDLY WITNESSED.
2. (U) FORMER SERGEANT VICTOR ((IBANEZ)) CONFESSED THAT THE ARGENTINE ARMY TOOK PART IN KILLING DETAINEES DURING THE "DIRTY WAR" BY THROWING THEM ALIVE FROM AIRPLANES AND HELICOPTERS INTO THE OCEAN. IBANEZ'S COMMENTS COME ON THE HEELS OF A CONFESSION LAST MONTH BY A NAVY OFFICER WHO DESCRIBED SIMILAR DEATH FLIGHTS. IBANEZ CLAIMS HE WAS A GUARD AT A SECRET DETENTION/ TORTURE CENTER IN CAMPO DE MAYO CALLED "EL CAMPITO". HE EXPLAINED THAT SECRET HELICOPTER AND AIRPLANE FLIGHTS TOOK OFF THREE OR FOUR TIMES A MONTH WITH DETAINEES HEAVILY SEDATED WITH PANONOVAL, A POWERFUL DRUG THAT CAUSES CARDIAC ARREST.
3. (U) ARMY CHIEF OF STAFF, GENERAL MARTIN ((BALZA)), BROKE THE MILITARY'S SILENCE AND ADMITTED THE ARGENTINE ARMY'S RESPONSIBILITY IN THE "DIRTY WAR" KILLINGS. HE SAID THAT ARGENTINA IS ENGAGING IN A PAINFUL DIALOGUE WITH THE PAST. BALZA SAID THAT HE HOPED THAT HIS WORDS WOULD NOT BE MISCONSTRUED AND ACKNOWLEDGED THAT SOME SECTORS OF SOCIETY WOULD NOT ACCEPT HIS MESSAGE. HE SPOKE OF THE "SPIRAL OF VIOLENCE" THAT ENGULFED ARGENTINE SOCIETY AT THE TIME OF THE WAR AGAINST SUBVERSION AND SAID THAT ARGENTINA HAD ABANDONED ITS CONSTITUTIONAL DEMOCRATIC ROAD AND WAS INCAPABLE OF CONFRONTING THE TERRORISM. BALZA FURTHER STATED THAT "TWENTY YEARS OF SADNESS AND PAIN HAVE PASSED. WE MUST

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LOOK OUR ADVERSARIES IN THE EYES AND ADMIT OUR MISTAKES." BALZA CONCLUDED HIS PREPARED REMARKS BY SAYING THE ARMY DOES NOT HAVE LISTS OF THE DISAPPEARED BUT OFFERED HIS ASS
ISTANCE TO ANYONE WITH KNOWLEDGE OF
THE MISSING WHO WANTS TO COME FORWARD TO AID IN RECONSTRUCTING WHAT HAPPENED IN THE PAST.

4. ~~(C)~~ SOURCE A REPORTS THAT THIS UNPRECEDENTED SPEECH BY BALZA REPRESENTS A MAJOR CHANGE IN THE ARMY'S STRATEGY IN DEFENDING ITS ACTIONS DURING THE DIRTY WAR. UNTIL THIS SPEECH, THE ARMY HAD MAINTAINED A POLICY OF DENYING SPECIFIC ALLEGATIONS AND DISAVOWING ANY CRIMINAL BEHAVIOR. HOWEVER, IT IS COMMON KNOWLEDGE WITHIN THE ARGARM THAT THE TORTURES AND KILLINGS DID, IN FACT, TAKE PLACE--MORE OR LESS AS REPORTED. AT THE TIME, THE MILITARY WAS NOT TRAINED TO CONFRONT INTERNAL TERRORIST GROUPS SO IT USED THE TERRORISTS' OWN TACTICS IN AN EFFORT TO DEFEAT THEM. ACCORDING TO SOURCE A, THE ARMY DID VIRTUALLY NOTHING TO STOP THE TERRORISM IN THE LATE 60'S AND EARLY 70'S BUT BEGAN ITS PROGRAM IN THE MID-70'S WHEN IT WAS AUTHORIZED BY THEN PRESIDENT ISABEL PERON TO OPENLY CONDUCT OPERATIONS AGAINST THE GUERRILLAS. THE MILITARY'S OPERATIONS CULMINATED IN 1983 WITH ARGENTINA'S RETURN TO DEMOCRATIC RULE. DURING THE COURSE OF THESE OPERATIONS, NUMEROUS EXCESSES OCCURRED, ESPECIALLY IN THE LATE 70'S, AS THE MILITARY TRIED TO SAVE THE COUNTRY FROM A THREAT THAT WAS SO SERIOUS THAT, ACCORDING TO SOURCE, NO ONE CAN UNDERSTAND IT UNLESS THEY ACTUALLY LIVED THROUGH IT AT THE TIME. NEVERTHELESS, SOURCE CONCEDES THAT, IN HINDSIGHT, THE THREAT TO THE SOVEREIGNTY OF THE COUNTRY DID NOT WARRANT THE TACTICS EMPLOYED BY THE MILITARY, WHICH BASICALLY LOWERED ITSELF TO THE SAME LEVEL AS THE SUBVERSIVES.

5. (U) WHEN A DEMOCRATIC GOVERNMENT RETURNED TO POWER IN 1983, ONE OF ITS PRIMARY TASKS WAS TO INVESTIGATE THOSE INVOLVED IN THE WAR AGAINST SUBVERSION AND THE SOUTH ATLANTIC CONFLICT OF 1982. ACCORDING TO SOURCE D, THE POLITICAL MOVEMENT AGAINST THE MILITARY FOR CRIMES COMMITTED DURING THE WAR AGAINST SUBVERSION BEGAN IN 1983 IN THE ARMED FORCES SUPREME COURT (CONSEJO SUPREMO DE LAS FUERZAS ARMADAS (CONSUFA)).

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THE FEDERAL COURTS THEN ELEVATED THE TRIALS TO A HIGHER COURT SINCE THE NEW MILITARY JUSTICE CODE DID NOT PERMIT CONSUFA TO PROSECUTE THEM. THE FEDERAL COURT EXTENDED ITS INVESTIGATION INTO THE COMMANDERS OF THE THREE MILITARY SERVICES (SEVERAL OF WHOM HAD BEEN DE FACTO PRESIDENTS) AND THIS RESULTED IN SEVERAL CONVICTIONS AND PRISON SENTENCES. OTHER CASES, IN VARIOUS FEDERAL COURTS, WERE THEN OPENED INVOLVING DIRTY WAR CRIMES. BY THE END OF 1986, THE SITUATION WAS SO OUT OF CONTROL AND SENSITIVE THAT PRESIDENT RAUL ALFONSIN RATIFIED AN AMNESTY LAW (THE SO-CALLED "FULL STOP" LAW) BY WHICH THE OFFICERS WHICH HAD NOT BEEN CALLED TO GIVE THEIR STATEMENTS BEFORE FEBRUARY 1987, COULD NOT BE CALLED IN THE FUTURE. THIS WAS FOLLOWED BY THE LAW OF DUE OBEDIENCE THAT STATED THAT NO ONE UNDER THE RANK OF CAPTAIN IN THE NAVY OR ITS EQUIVALENT IN THE OTHER SERVICES, COULD BE TRIED FOR CRIMES COMMITTED IN THE PERFORMANCE OF THEIR DUTIES DURING THE DIRTY WAR. FINALLY, WHEN PRESIDENT CARLOS MENEM WAS ELECTED, HE MADE A POLITICAL DECISION TO CLOSE FOREVER ALL THE DIRTY WAR CASES AND PARDONED THOSE INVOLVED, WHETHER THEY HAD ALREADY BEEN CONVICTED OR SIMPLY PROCESSED.

6. (U) THESE LAWS AND DECREES HAVE BEEN TESTED IN RECENT YEARS, WHEN SOME FAMILIES OF THE DISAPPEARED HAVE CAME FORWARD WITH DIFFERENT ALLEGATIONS AND DEGREES OF PROOF. HOWEVER, IT IS JUST RECENTLY THAT THE FEDERAL COURT ORDERED THE EXECUTIVE BRANCH TO DELIVER THE LISTS OF THE DISAPPEARED. ALSO, LAST WEEK, THE SUPREME COURT JUDGES ORDERED THE CHIEF OF THE ARGENTINE NAVY TO RECONSTRUCT LISTS OF THE DISAPPEARED THAT HE ALREADY SAID HE DID NOT POSSESS.

COMMENTS: 1. ~~(C)~~ (b)(3) 10 USC 424 COMMENTS. IT IS IN THE MIDDLE OF ALL OF THESE ALLEGATIONS SURROUNDING THE DIRTY WAR THAT GENERAL BALZA MADE THE DECISION TO TRY TO ADDRESS THE ISSUES DIRECTLY AND RESOLVE THEM ONCE AND FOR ALL. THE IMPACT OF HIS DECISION STILL IS NOT KNOWN, NOR IS THE LEVEL OF SUPPORT FOR HIS ACTIONS WITHIN THE ARMY AND THE REST OF THE MILITARY. THERE WERE "EMERGENCY" MEETINGS HELD THROUGHOUT THE ARMY ON WEDNESDAY, THE DAY AFTER THE LIVE BROADCAST BY BALZA,

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SUPPOSEDLY TO DISCUSS HIS SPEECH AND ITS IMPACT. APPARENTLY, BALZA DID NOT MEET WITH HIS GENERALS PRIOR TO HIS SPEECH, ALTHOUGH OSTENSIBLY HIS CLOSEST ADVISORS AGREED WITH HIS DECISION TO GO ON NATIONAL TV WITH HIS SPEECH. HE ALSO REPORTEDLY RECEIVED APPROVAL FROM THE MINISTER OF DEFENSE PRIOR TO HIS APPEARANCE.

2. ~~(C)~~ BALZA'S SPEECH HAS PUT A NEW SPIN ON THE ALREADY REKINDLED INTEREST IN THE DIRTY WAR ERA. THERE ARE NOW DISCUSSIONS ABOUT WHAT CAN BE DONE TO IDENTIFY THOSE WHO DISAPPEARED AND THOSE INVOLVED IN THEIR DISAPPEARANCES. THERE IS TALK ABOUT REVOKING THE LAW OF DUE OBEDIENCE AND REVERSING THE DECISION TO GRANT PARDONS AND TO ACCEPT NO FURTHER CHARGES. HOWEVER, THESE REVERSALS OF PREVIOUS DECISIONS COULD CREATE AN ATMOSPHERE NOT CONDUCIVE TO OPEN DIALOGUE-- PEOPLE, ONCE AGAIN, WOULD PROBABLY REFUSE TO COME FORWARD FOR FEAR OF BEING PROSECUTED FOR THEIR ACTIONS.

3. ~~(C)~~ ALTHOUGH MANY ARGENTINES FEEL THAT A NEW OPPORTUNITY HAS BEEN CREATED TO TAKE A SIGNIFICANT STEP FORWARD IN PUTTING THE PAST BEHIND THEM, WITH ELECTIONS ONLY SEVERAL WEEKS AWAY, THERE IS AMPLE ROOM FOR BALZA'S REVELATIONS TO TURN INTO A POLITICAL ISSUE. ONLY TIME WILL TELL IF BALZA'S TACTIC WORKS TO THE BENEFIT OF THE MILITARY AND THE COUNTRY OR IS OVERSHADOWED BY POLITICS.

4. ~~(C)~~ EMBASSY COMMENTS. BALZA'S SPEECH DREW FAVORABLE REACTIONS FROM THE THREE PRINCIPAL PRESIDENTIAL CANDIDATES, MENEM, BORDON, AND MASSACCESSI. HOWEVER, MENEM'S NEW ATTITUDE REGARDING THE VALUE OF ACKNOWLEDGING THE ABUSES OF THE DIRTY WAR LEAVES HIM VUNERABLE TO POLITICAL ATTACKS. RADICAL CIVIC UNION CANDIDATE MASSACCESSI AND FORMER PRESIDENT ALFONSIN HAVE CRITICIZED MENEM AS BEING INSINCERE ON HUMAN RIGHTS ISSUES. MENEM CAN EXPECT SUCH ATTACKS TO CONTINUE, BUT THEY ARE UNLIKELY TO HAVE A STRONG IMPACT ON THE ELECTION OUTCOME.

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ADMIN

PROJ: (U).

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